



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

COOLEY GODWARD KRONISH LLP
ATTN: PATENT GROUP
SUITE 1100
777 – 6TH STREET, NW
WASHINGTON DC 20001

COPY MAILED

OCT 08 2008

OFFICE OF PETITIONS

In re Patent No. 7,232,565	:	
Issue Date: June 19, 2007	:	
Application No. 10/602,546	:	DECISION ON PETITION
Filed: June 23, 2003	:	
Attorney Docket No. MONT-059/01US 306509-2212	:	

This is a decision on the renewed petition filed May 21, 2008, under 37 CFR 3.81(b) to accept the correction of the assignee on the front page of the above-identified patent. This is also a decision on the petition under 37 CFR 1.182 to reprint the assignee's name on the front page of the Letters Patent.

The petition under 37 CFR 3.81(b) to correct the assignee's name is **GRANTED**.

The petition under 37 CFR 1.182 to reprint the front page of the Letters Patent is **GRANTED**.

Petitioner is advised that it is the practice of the U. S. Patent and Trademark Office (USPTO) to issue a certificate of correction to correct an error on the part of an application in those cases where the assignee or attorney data is incorrect or was inadvertently not provided at the time of payment of the issue fee or the inventor's name is misspelled or otherwise incorrect. Note 37 CFR 1.323 and MPEP 1482 (35 U.S.C. 255), which states:

"Whenever a mistake of a clerical or typographical nature, or of minor character, which was not the fault of the Patent and Trademark Office, appears in a patent and a showing has been made that such mistake occurred in good faith, the Commissioner may, upon payment of the required fee, issue a certificate of correction, if the correction does not involve such changes in the patent as would constitute new matter or would require re-examination. Such patent, together with the certificate, shall have the same effect and operation in law on the trial of actions for causes thereafter arising as if the same had been originally issued in such correct form."

In view of the above, and since the desired correction of the assignee's name can be effected by way of a certificate of correction, it is unnecessary to reprint the front page of the Letters Patent.

However the USPTO will reprint the front page of the Letters Patent if the following conditions are met:

1. Submission of a petition under 37 CFR 1.182
2. Payment of a \$400 petition fee
3. Payment of a \$100 fee to place a certificate of correction in the USPTO archives

Since petitioner has met the conditions noted above, the front page of the Letters Patent will be reprinted to include the assignee's name.

Petitioner is advised that the reprinted Letters Patent granted by this petition is the only one which will reflect the correction of the assignee's name on the front page. All other copies of the patent will reflect the correction of the assignee's name by the presence of a certificate of correction in Office records.

The file is being referred to the Certificates of Correction Branch for appropriate processing of a certificate of correction to be placed in the archives of the USPTO and for reprinting the front page of the original Letters Patent.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272- .
Telephone inquiries regarding the reprinting of the front page of the Letters Patent should be directed to Krystal Paige in the Office of Data Management at (703) 308-9250, Ext. 139.



Karen Creasy
Petitions Examiner
Office of Petitions

cc: Krystal Paige, South Tower, 8th Floor (Fax No. (571) 273-9756